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MIDWEST OFFICE

September 11, 2000

Mississippi River/Gulf of Mexico Action Plan (4503F)  
c/o U.S. Environmental Protection Agency  
1200 Pennsylvania Avenue NW  
Washington, DC 20460

RE: Comments on the Draft Action Plan for Reducing, Mitigating, and Controlling Hypoxia in the Northern Gulf of Mexico

Dear EPA,

Thank you for addressing the issue of reducing the Dead Zone in the Gulf of Mexico.

The Sierra Club Midwest Regional Conservation Committee, Mississippi River Ecoregion Task Force, and the Midwest Office would like to submit the following comments to the Mississippi River/Gulf of Mexico Watershed Nutrient Task Force. We recognize that the creation of an action plan for the large geographic area of the Mississippi River Basin is a challenging task.

The size and growth of the hypoxic zone in the northern Gulf of Mexico is a serious national problem, and deserves effective national resources to implement substantial solutions. It is essential that the action plan delivers significant benefits for states in the upper river and its tributaries and that these benefits complement other efforts to improve water quality. It is also essential that the most effective solutions to alleviating hypoxia be given precedence.

The things we need to do to clean up the Mississippi River will improve the safety and quality of our drinking water in the Midwest, clean up polluted rivers and lakes, improve outdoor recreation such as fishing, hunting and boating, reduce flood deaths and damage, and help family farmers. To that end, we submit the following comments.

#### 1. Coastal Goals

There should be a numeric nutrient reduction goal set for the Gulf of Mexico. A numeric goal is necessary to provide a benchmark against which to measure the success of actions taken to reduce hypoxia. We support a minimum of 30% reduction in the annual average nutrient loading rate measured during the period 1980-1996. This would reduce discharges of nitrogen into the Gulf and also reduce the 5-year running average areal extent of the hypoxic zone.

## 2. Basin Goals

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We support the use of cooperative, non-regulatory approaches to addressing nonpoint sources of nitrogen pollution; however, strong implementation and enforcement of existing regulatory standards is necessary for addressing point source discharges. These point source discharges must include contaminated stormwater, municipal sewer systems, large animal factories and feedlots, and wetland destruction by the Army Corps, developers, and agribusiness.

All NPDES permits for point source dischargers in the Mississippi and Atchafalaya River Basins should be re-issued on time and permits for those facilities discharging nutrients should include numeric effluent limitations for nutrients consistent with nutrient reduction goals.

The Committee on Environment and Natural Resources recommended the restoration of 5 million acres of wetlands. The draft Action Plan needs to include these recommendations in its list of basin-wide goals. However, this goal is both too modest and will not effectively reduce the size of the dead zone. We support restoring at least 25 million acres of wetlands in the basin to reduce the size of the Dead Zone as the Committee originally recommended.

That would create about 15 million acres of wetlands in the Upper Mississippi River basin, which would have stored most of the 1993 floodwater that killed 80, cost \$16-21 billion, and made millions homeless.

A recent Sierra Club report, "Wetland Restoration in Waiting in the Upper Mississippi River Basin" shows that farmers are waiting to restore under the Wetland Reserve Program (WRP) more than 500,000 acres across the country and 170,000 acres in Upper Mississippi River Basin. Iowa, Illinois, Missouri, Minnesota, North and South Dakota, and Wisconsin were the site of the country's worst flood disaster in 1993. See the report at [www.sierraclub.org/wetlands](http://www.sierraclub.org/wetlands).

The Action Plan should ask that permanent easements on all these lands be bought under the WRP and more land be added in the next Farm Bill to achieve the 25 million acre goal by 2020, or at least 1 million new acres each year in the basin.

The Action Plan should also urge states to continue working on nutrient criteria to be adopted into state water quality standards by 2003 as part of EPA's National Nutrient Strategy.

## 3. Funding

Additional funding for the Corps' wetlands permitting program must be included as well as additional funding for wetlands restoration. We would like to see the developers pay for this in higher fee costs.

State and federal programs such as the Wetlands Reserve Program and Clean Water Act 319 resources must be focused on targeted polluted watersheds. The Action Plan must clearly state that federal agencies will work together to target programs on watersheds that have been identified as major contributors to nitrogen pollution entering the Mississippi River, whether or

not the states have targeted these watersheds.

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#### 4. Corps and wetlands

The draft Action Plan states that by fall 2003 the Corps should assess potential nutrient reduction actions that could be achieved by modifying Corps projects. This is unacceptable because the Corps is fully capable of assessing actions that can be taken to modify projects to reduce nitrogen pollution at present funding levels. The Corps must commit to coordinated, comprehensive oversight of all its regulatory and civil works programs within the Mississippi basin to ensure that gains in nitrogen reductions are not offset by projects or permitting practices that increase nitrogen inputs. The Corps can address the issue of nutrient pollution today by strengthening and asking for more funding for its wetlands regulatory permitting program.

#### 5. Programmatic indicators

Measurable milestones are key to the success of the Action Plan. The draft Action Plan appears to call for indicators to be chosen based purely on economics. The extent and seriousness of the Dead Zone problem dictates that we use the most effective approaches. Cost and other such factors should be included in this equation only to determine the most efficient mix of approaches that have proven effectiveness.

To address the hypoxia problem in the Gulf of Mexico a comprehensive action plan that gets to the root of nutrient pollution is needed. We urge the Task Force to revisit the draft Action Plan to ensure a workable framework for action that includes concrete measurable goals. We appreciate the opportunity to comment on the Draft Action Plan for Reducing, Mitigating, and Controlling Hypoxia in the Northern Gulf of Mexico and we urge you to incorporate our comments into the final action plan.

Sincerely,



Dave Scott  
Chair, Midwest Regional Conservation Committee



Sheila Bosworth  
Chair, Mississippi River Ecoregion Task Force



Brett Hulsey  
Midwest Senior Representative  
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File:wetlands/deadzonecomments

Tuesday, June 6, 2000

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## Sierra Club, farmers push for wetlands

### It's one way to control flooding

By Chris Sewell

*The Capital Times/Medill News Service*

WASHINGTON — Cottage Grove farmer Steve Querin-Schultz has 350 acres of land where he and his family grow corn, soybeans and alfalfa.

But at least once a year since 1993, Querin-Schultz has lost 96 acres to flooding, which costs him \$13,000 a year in profits.

Instead of fighting the forces of nature by draining the land in his back yard, however, Querin-Schultz would like to see the area restored to its natural state.

Monday Querin-Schultz joined a panel of four other Midwestern farmers and members of the Sierra Club to release a report that showed wetland restoration can protect family farms, and reduce flood damage and water pollution.

The report supported the U.S. Department of Agriculture's 1992 Wetlands Reserve Program, which was created to restore natural wetlands to their original state before they were drained for farming.

"It's a fair program because the government pays for the easement and it's permanent," Querin-Schultz said. "You can never farm it again, but you don't have to allow public access and you still own the land and it allows me to farm more profitably because I'm not wasting money on marginal or high-risk land."

Kevin Connors, county conservationist with the Dane County Land Conservation Department, said in an interview the county has 23 sites eligible for the program.

"For many farmers these lands have been marginal because of their location within the landscape," Connors said.

In addition to better profits for farmers, the program would prevent flooding by soaking up floodwater and also help natural habitats flourish. Ducks, for example, would benefit from improved nesting cover.

Wisconsin farmers have enrolled more than 24,000 acres in the program, but have 10,000 acres backlogged that cannot be restored due to lack of funding. To restore the backlogged acreage, Wisconsin needs \$9 million.

"Congress wants people to continue farming flooded wetlands and receiving crop bailout money rather than restore them," said Brett Hulsey, senior representative for the Madison-based Midwest Sierra Club chapter. "A lot of these programs will pay for themselves in three years in crop insurance savings."

Schultz said that he attributes much of the flooding to Dane County's rapid growth and urban sprawl.

"Any time you get blacktop or roofs, water immediately runs off rather than infiltrating the ground," Schultz said. "Water ends up in the lowland area fields and wetlands."

According to Connors, work is under way for a countywide storm water management program that would help control run off water from urbanized areas into the lowlands.

# Wetlands Restoration in Waiting in the Upper Miss. River--

## Key Facts

Wetlands are marshes, forests, and bogs that are in low-lying areas that are wet for at least two weeks in the summer. Wetlands filter our drinking water, soak up floodwater, clean our river and lakes, and provide homes for fish and wildlife.

State	WRP, EWRP, and EWP Acres Enrolled	WRP and EWP Acres Backlogged	Avg. cost for easement	Amount that Could be Paid to Farmers for WRP
Illinois	36,586	20,833	\$1,000	\$20.3 million
Iowa	91,026	61,400	1,500	92.1
Minnesota	25,869	25,134	382.	9.6
Missouri	79,606	32,014	855	27.4
North Dakota	16,479	11,000	445	4.9
South Dakota	68,986	10,000	546	5.5
Wisconsin	24,377	10,000	900	9
<b>Total</b>	<b>342,949 acres</b>	<b>170,381 acres</b>	<b>Avg. \$1,009 per acre*</b>	<b>\$168.8 million</b>

Source: State WRP Coordinators, Natural Resources Conservation Service, USDA.\*weighted average

- The Wetlands Reserve Program was started in the 1990 Farm Bill. The Emergency Wetlands Reserve (EWRP) and Watershed Protection (EWP) Programs were started in the 1996 Farm bill and are designed to help flood victims and farmers recover from major floods.
- Developers and agribusinesses have drained and destroyed almost half or 49% of America's wetlands through 1985, according to the U.S. Fish and Wildlife Service estimates.
- An acre of wetlands can store up to 1.66 million gallons of floodwater, according researchers, depending on the type of wetland. Prairie pothole wetlands can store the most. Restoring prairie and wetlands can reduce 100 year floods by up to 39%, according to USDA studies.
- In the Mississippi River basin, Iowa, Missouri, and Illinois have destroyed the most wetlands, 87% on average. These states accounted for 75 % or \$11.8 billion of the total \$15.7 billion in 1993 flood damages.
- Restoring just 13 million acres of wetlands, less than 3% of the watershed, could store all of flood water on the Upper Mississippi River, according to hydrologist's estimates. At current average cost of \$600 per acre for the Wetland Reserve Program, that would cost \$7.8 billion, half the 1993 flood costs.
- Global warming appears to be increasing the amount and intensity of rain and snow events. Since 1900, the number of extreme rain and snow events has increased by one-fifth or 20%, according to U.S. Department of Commerce studies.
- For a copy of the report, call the Sierra Club at 608-257-4994.

# **Sierra Club Wetlands and Farming News**

For Immediate Release  
Thursday, June 1st, 2000

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## **Midwest Farm Families Go to Washington to Trumpet the Wetland Reserve Program**

Washington, DC-- Midwest farm families, the Sierra Club, and the Clean Water Network are traveling to Washington on June 3<sup>rd</sup> to release a report showing that wetland restoration can reduce flood damage and water pollution. "Wetland Restoration in Waiting in the Upper Mississippi River Basin" shows that farmers are waiting to restore more than 170,000 acres under the Wetland Reserve Program (WRP) in Upper Mississippi River Basin states of Wisconsin, Illinois, Minnesota, Iowa, Missouri, North and South Dakota-- the site of the country's worst flood disasters in 1993.

"Wetland restoration helped keep my family in farming, cleans the water, and reduces flood risks for downstream residents," said Steve Querin-Shultz, Wisconsin farmer and Wetland Reserve Program participant. "We need to expand the program so more farmers can participate to protect vital wetland resources. Some of the land needs to be conserved rather than farmed. This works out to everyone's advantage."

Shultz will restore 96 acres on his farm near Cottage Grove this year. The WRP easement payments will help him stay in farming and give him the freedom not to sell the land for development. Shultz is traveling to Washington to advocate for the farmers waiting to restore more than 10,000 acres in Wisconsin due to lack of funding-- that is \$14 million that could be helping the struggling farm families.

Jerry and Debra Heinz of Heinz Farms, Tolono Il. agree that the Wetland Reserve Program can help Illinois farm families escape the financial hardships posed on land prone to flooding. "The Wetland Reserve Program fit my needs very well by offering financial support for restoring unproductive farmland to wonderful wetland areas," said Jerry Heinz. "After experiencing the wetland restoration process from beginning to end, I would jump at the opportunity to do it again." Heinz Farms has 900 acres enrolled in the Wetland Reserve Program.

James Schafer, farmer and former president of Minnesota's Soil and Water Conservation District, hopes that his positive experience with the Wetland Reserve Program will help secure funding for the forty-four applicants awaiting contracts on over 30,000 acres in Minnesota. Regarding his 92 acre restoration easement, Mr. Schafer said, "it made more sense for the government to invest in restoring my wetland than to give welfare for production agriculture of

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## **Farmers Go to Washington in Support of WRP, Page two**

piece of land that requires excessive drainage." Mr. Schafer's neighbor and fellow farmer asserted that, "if we could all take our poorest land out of production like Shafer, we would be better off."

Iowa family farmers Richard and MaryLou Rubenbauer echo the sentiments of wetland reserve participants throughout the Upper Mississippi Basin. "We can all see the benefits of the Wetland Reserve Program," said Mr. Rubenbauer of Marshalltown, Iowa. "WRP has helped increase waterfowl and wildlife, clean the water and stop erosion on my property. I would like our policy makers to push harder to support programs like WRP and EWP."

Dennis Merideth of Merideth Farms in Caruthersville, Missouri was able to enroll 663 acres in Missouri's Wetland Reserve Program after floods in 1993 deposited sand on his property. Although the wheat harvest prevents Dennis from going to Washington, he wanted to speak about the Wetland Reserve Program on behalf of the 370 unfunded applicants awaiting contracts for over 32,000 acres in Missouri. According to Mr. Merideth, "the funding of the WRP and EWP both provides a choice and an incentive for land management that can be mutually beneficial. Providing the opportunity to work together will allow the best use of land for all involved." The EWP, Emergency Watershed Program, funds restoration projects after floods.

"Low prices tell us that we have drained too many wetlands and are growing too much cropland, said Dan Narlock, a North Dakota farm manager and former state Water Commissioner. Mr. Narlock has teamed up with Oslo farmer, Carl Osowski, to promote the Wetland Reserve Program in Washington. "Farmers like us are in a desperate situation. We're fighting prices and battling floods to survive," said Carl. "Many of us are simply giving up hope. I wish the Wetland Reserve Program had much more money to distribute to farmers."

Family farmers throughout the Midwest recognize the strengths of the Wetland Reserve Program and argue that it should be expanded to accommodate the growing interest in the program. "Wetland Restoration in Waiting shows that farmers want to protect wetlands and reduce flooding, but they need our help," said Hank Graddy, Chair of the Sierra Club Mississippi Task Force. "The Sierra Club helped create this important farm program, and this report shows that we need to expand it to help Mississippi River farmers and the river ecosystem."

**END**

### **Farmer Contacts**

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